

**REMARKS**

Claims 1, 3-5 and 7-14 are pending. By this Amendment, claims 1, 3-5, 7, 8, 11 and 13 are amended, and claims 2 and 6 are cancelled. The claims are amended to even more clearly distinguish over the applied reference.

The features of objected-to claim 2 have been placed into claim 1. Claims 2 and 6 have been cancelled as they now are redundant to claim 1, and claims 3-5 have been amended to be consistent with amended claim 1. Claim 7 is amended to improve its grammar. Independent claims 8, 11 and 13 have been amended to further clarify the "prohibiting" feature recited in these claims. Support for the amendments to claims 8, 11 and 13 can be found in the original specification at, for example, page 18, lines 18-21, page 20, lines 1-7, page 21, lines 9-11, page 22, lines 12-16, page 24, line 20 - page 25, line 24 and page 26, line 20 - page 27, line 14. Thus, no new matter is added by the above amendments.

Applicant notes with appreciation the identification of allowable subject matter in claims 2-7. As noted above, the features of claim 2 have been placed into claim 1. Thus, claim 1 and its dependent claims 3-5 and 7 are in condition for allowance. Applicant respectfully submits that claims 8-14 also are in condition for allowance, as detailed below.

Claims 1 and 8-14 stand rejected under 35 U.S.C. §102(e) over U.S. Patent No. 6,084,692 to Ohtani et al. This rejection is moot with respect to amended claim 1, and is respectfully traversed with respect to claims 8-14.

Ohtani et al. does not disclose or suggest "prohibiting said illuminating device from irradiating any illumination onto the original during the time at which image data of the original is being output from said imaging device" as recited in independent claims 8, 11 and 13. The Office Action refers to col. 9, lines 60-68 and steps 802 and 803 of Ohtani et al. in asserting that the "prohibiting" feature of claims 8, 11 and 13 is disclosed in Ohtani et al. See, for example, page 4, lines 3-8 of the Office Action. Applicant respectfully submits that

neither the above-referenced portion of Ohtani et al. nor any other portion of Ohtani et al. discloses or suggests the "prohibiting" feature quoted above that is present in claims 8, 11 and 13. The portion of Ohtani et al. referenced in the Office Action merely relates to determining which of the LEDs is to be turned on or off. This portion of Ohtani et al. does not relate to what occurs when image date is being output from the imaging device (in fact, the section of Ohtani et al. referenced in the Office Action relates to procedures that occur before image data is output from the imaging device). As shown in Fig. 12 and described at col. 13, lines 14-32 of Ohtani et al., Ohtani et al. discloses the conventional practice of emitting light from the illumination device during the time period at which image data is output from the imaging device. As shown in Fig. 12, G light is emitted during the time at which R image data is output, B light is emitted during the time at which G image data is output, and R light is emitted during the time at which B image data is output.

Accordingly, Ohtani et al. does not disclose or suggest the combinations of features recited in independent claims 8, 11 and 13. Withdrawal of the rejection of claims 8-14 is requested.

In view of the foregoing, Applicant respectfully submits that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicant's undersigned attorney at the telephone number listed below.

Respectfully submitted,  
  
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MAC/ccs

Attachment:  
Petition for Extension of Time

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